

EXHIBIT C

Declaration of Matthew P. McCue

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**VISHVA DESAI and PHILIP J. CHARVAT, on
behalf of themselves and others similarly situated,**

Plaintiffs,

v.

Case No. 1:11-cv-1925

ADT SECURITY SERVICES, INC.,

Defendant.

Declaration of Matthew P. McCue

1. I am submitting this affidavit in support of Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement.

2. I am an attorney admitted to the practice of law in Massachusetts. I have personal knowledge of the matters set forth herein.

3. I am a 1993 honors graduate of Suffolk Law School. Following graduation from law school, I served as a law clerk to the Justices of the Massachusetts Superior Court. I then served a second year as a law clerk for the Hon. F. Owen Eagan, United States Magistrate Judge for the USDC District of Connecticut.

4. Following my clerkships, I was employed as a litigation associate with the law firm of Hanify & King. In 1997, I joined the law firm of Mirick O'Connell as a litigation associate where I focused my trial and appellate practice on plaintiff's personal injury and consumer protection law.

5. In the summer of 2002, I was recognized by the legal publication Massachusetts Lawyers Weekly as one of five "Up and Coming Attorneys" for my work on behalf of consumers and accident victims.

6. In November of 2004, I started my own law firm focusing exclusively on the litigation consumer class actions and serious personal injury cases.

7. For the past nine years, I have worked extensively on consumer protection cases involving illegal telemarketing. I have handled these cases both on an individual basis, and as consumer class actions. A sampling of class actions in which I have participated follows.

- i. Mey v. Herbalife International, Inc., USDC, D. W. Va., Civil Action No. Co-lead counsel with Attorney Broderick and additional co-counsel, prosecuting consumer class action pursuant to TCPA on behalf of nationwide class of junk fax and prerecorded telephone solicitation recipients. \$7,000,000 class action settlement preliminarily approved on July 6, 2007 and granted final approval on February 5, 2008.
- ii. Mulhern v. MacLeod d/b/a ABC Mortgage Company, Norfolk Superior Court, 2005-01619 (Donovan, J.). Representing class of Massachusetts consumers who received unsolicited facsimile advertisements in violation of the TCPA and G.L. c. 93A. Case certified as a class action, and I was appointed co-lead counsel with Attorney Edward A. Broderick by the Court on February 17, 2006, settlement for \$475,000 granted final approval by the Court on July 25, 2007.
- iii. I served as co-counsel on a Massachusetts consumer telemarketing class action entitled Evan Fray-Witzer, v. Metropolitan Antiques, LLC, NO. 02-5827 Business Session, Judge Van Gestel. In this case, the defendant filed two Motions to Dismiss challenging the plaintiff's right to pursue a private right of action and challenging the statute at issue as violative of the telemarketer's First Amendment rights. Both Motions to Dismiss were denied. Class certification was then granted and I was appointed co-lead class counsel. Companion to this litigation, my co-counsel and I successfully litigated the issue of whether commercial general liability insurance provided coverage for the alleged illegal telemarketing at issue. We ultimately appealed this issue to the Massachusetts Supreme Judicial Court which issued a decision reversing the contrary decision of the trial court and finding coverage. See Terra Nova Insurance v. Fray-Witzer et al., 449 Mass. 206 (2007). This case resolved for \$1.8 million.
- iv. I served as co-class counsel in the action captioned Shonk Land Company, LLC v. SG Sales Company, Circuit Court of Kanawha County, West Virginia, Civil Action No. 07-C-1800 (multi-state class action on behalf of recipients of faxes in violation of TCPA, settlement for \$2,450,000, final approval granted in September of 2009.
- v. I served as co-class counsel with Ted Broderick in Mann & Company, P.C. v. C-Tech Industries, Inc., USDC, D. Mass., C.A. 1:08CV11312-RGS, class action on behalf of recipients of faxes in violation of TCPA, settlement for \$1,000,000, final approval granted in January of 2010.
- vi. I served as co-class counsel in Collins v. Locks & Keys of Woburn, Inc., Massachusetts Superior Court, Civil Action No. 07-4207-BLS2 (December 14, 2011) (final approval granted for TCPA class settlement). This matter settled for \$2,000,000.
- vii. I was appointed class counsel in Brey Corp t/a Hobby Works v. Life Time Pavers, Inc., Circuit Court for Montgomery County, Maryland, Civil Action No.

349410-V (final approval granted for TCPA class settlement for \$1,575,500).

viii. I was appointed class counsel in D. Michael Collins and Milford & Ford Associates, Inc. v. ACS, Inc. f/k/a American Consumer Shows, Inc. and American Consumer Shows, LLC, USDC D. Mass. C.A. 1:10-CV-11912-RGS (final approval granted for TCPA class settlement for \$1,875,000).

Executed this 8thth day of February, 2013.

/s/ Matthew P. McCue

Matthew P. McCue